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Vol. V.

The University of Maine, Orono, February 1, 1903.

No. 5

UNIVERSITY OF MAINE

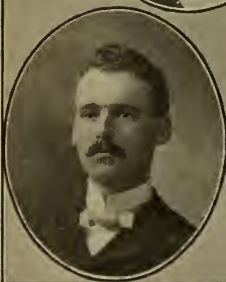
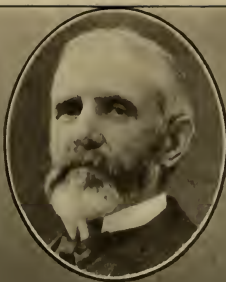
SCHOOL OF LAW.



ANNOUNCEMENT.

THE LIBRARY
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UNIVERSITY OF ILLINOIS

AUGUSTA:
Kennebec Journal Print,
1903.



I. C. Southard.
F. J. Martin.
A. E. Rogers.
G. H. Worster.

Justice L. A. Emery.
Pres. G. E. Fellows.
Dean W. E. Walz.
C. V. Holman. E. C. Donworth.

Gen. C. Hamlin.
H. Clark.
E. M. Simpson.
B. I. Fletcher.

THE UNIVERSITY OF MAINE.

A Public Institution Maintained by the State and the Nation.

The colleges are interdependent and together form a unit. The organization is as follows:

THE COURSES OF STUDY.

THE COLLEGE OF ARTS AND SCIENCES.

Elective Courses in
Latin, Greek, Modern Languages,
Philosophy, History, Civics,
Mathematics, Physics, Biology.

THE COLLEGE OF AGRICULTURE.

The Agricultural Course.
The Short and Special Agricultural Courses.
The Agricultural Experiment Station.

THE COLLEGE OF TECHNOLOGY.

The Civil Engineering Course.
The Mechanical Engineering Course.
The Electrical Engineering Course.
The Mining Engineering Course.
The Chemistry Course.

THE COLLEGE OF PHARMACY.

The Pharmacy Course (four years).
The Short Pharmacy Course (two years).

THE COLLEGE OF LAW.

For catalogue, address

President GEORGE EMORY FELLOWS,
Orono, Maine.

THE FACULTY.

GEORGE EMORY FELLOWS, PH. D., L. H. D., LL. D.,

President of the University.

WILLIAM EMANUEL WALZ, M. A., LL. B.,

Dean and Professor of Law.

ALLEN ELLINGTON ROGERS, M. A.,

Professor of Constitutional Law.

FOREST JOHN MARTIN, LL. B.,

Resident Lecturer on Common Law Pleading and Maine Practice.

HUGO CLARK, C. E.,

Resident Lecturer on Equity Pleading and Practice.

EDGAR MYRICK SIMPSON, B. A.,

Instructor in Real Property and Corporations.

EUGENE CLEMENT DONWORTH, LL. B.,

Instructor in Contracts.

BERTRAM LEIGH FLETCHER, LL. B.,

Instructor in Agency.

GEORGE HENRY WORSTER, ESQ.,

Instructor in Damages.

LUCILIUS ALONZO EMERY, M. A., LL. D., Associate Justice of the
Supreme Judicial Court of Maine,

Lecturer on Roman Law and Probate Law.

ANDREW PETERS WISWELL, B. A., LL. D., Chief Justice of the Supreme
Judicial Court of Maine,

Lecturer on Evidence.

CHARLES HAMLIN, M. A., Reporter of Decisions of the Supreme Judicial
Court of Maine,

Lecturer on Bankruptcy and Federal Procedure.

LOUIS CARVER SOUTHARD, M. S., Member of the Massachusetts Bar and
of the United States Supreme Court Bar,
Lecturer on Medico-Legal Relations.

CHARLES VEY HOLMAN, LL. B., Member of the Massachusetts Bar,
Lecturer on Wills and Mining Law.

RALPH KNEELAND JONES, B. S.,

Librarian.

THE BOARD OF TRUSTEES OF THE UNIVERSITY.

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ADVISORY BOARD FOR THE SCHOOL OF LAW.

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| DEAN W. E. WALZ, M. A., LL. B., <i>Secretary</i> , | Bangor |

CATALOGUE OF STUDENTS.

GRADUATE STUDENTS.

| | |
|----------------------------------|--------------------------------|
| Cook, Harold Elijah, LL. B., | Waterville. |
| Folsom, Leroy Rowell, LL. B., | So. Norridgewock. |
| Holman, Charles Vey, LL. B., | New York City, 88 Broadway. |
| Lord, Harry, LL. B., | Bangor, 82 Cumberland St. |
| Mackay, John Daniel, LL. B., | Quincy, Mass. |
| Plumstead, Frank, LL. B., | Bangor, Morse-Oliver Building. |
| Robinson, William Henry, LL. B., | Bangor, 74 Jefferson St. |

| | | |
|------------------------------------|-----------|--------------|
| Selkirk, Robert William, LL. B., | Bangor, | 16 Broad St. |
| Waterhouse, William Henry, LL. B., | Old Town. | |

SENIORS.

| | | |
|------------------------------|-----------------------|------------------|
| Bennett, Waldo Horace, | Newport, | The Lowder. |
| Buckley, William Wallace, | Winchendon, Mass., | 135 Union St. |
| Geary, Thomas Reardon, | Whitneyville, | 147 Essex St. |
| Merrill, John Bryant, | Bangor, | 26 Jefferson St. |
| Morson, James Herbert, | Marshfield, P. E. I., | 50 Charles St. |
| Mudgett, Ulysses Grant, | Hampden. | |
| Murray, Edward Patrick, | Bangor, | 190 York St. |
| Noble, Ernest Eugene, | Blaine, | 16 Clark St. |
| Potter, Paul, B. A., | Worcester, Mass., | 135 Union St. |
| Reid, Charles Hickson, | Bangor, | 60 Lincoln St. |
| Snow, Donald Francis, B. A., | Bangor, | 134 Ohio St. |
| Thombs, George Warren, | Monson, | 67 Summer St. |
| Violette, Nil Louis, B. A., | Van Buren, | 138 Union St. |
| Winn, George Hayes, | Lewiston, | 147 Essex St. |

JUNIORS.

| | | |
|-----------------------------|---------------------|------------------|
| Blanchard, Benjamin Willis, | Bangor, | 118 Congress St. |
| Bryant, Glidden, | Newcastle, | 154 Essex St. |
| Clarke, Edward Everett, | New Bedford, Mass., | 50 Charles St. |
| Clough, George Edwin, | Monson, Mass., | 5 Dole's Court. |
| Haley, John Howard, | Cornville, | 245 Centre St. |
| Hight, Clarence Bertram, | Athens, | 57 Park St. |
| Lang, Alfred Alexander, | Viques, P. R., | 265 Hammond St. |
| Lougee, George, | Hampden. | |
| MacLean, Neil Vincent, | Bangor, | 57 Park St. |
| *Mansur, Walter Granville, | Pittsfield, | 57 Park St. |
| Sipprelle, Judson Emery, | Bangor, | 197 Warren St. |

FIRST YEAR STUDENTS.

| | | |
|----------------------------------|----------------|---------------|
| Adams, William Thomas, . | Boston, Mass., | 265 Main St. |
| Bartlett, Mark Jonathan, Ph. B., | Montville, | 97 Second St. |

| | | |
|------------------------------|------------------|-----------------|
| Barwise, Mark Alton, | Bangor, | 48 Elm St. |
| Bridges, Ansel Harrison, | Sprague's Mills, | Old Town. |
| Brown, Leon Gilman Carleton, | Milo, | 5 Dole's Court. |

*Deceased, Jan. 5, 1903.

| | | |
|------------------------------------|---------------------|-------------------------|
| Crawford, Adolphus Stanley, | Old Town. | |
| Doyle, Joseph Henry, | Franklin, | 81 Holyoke St., Brewer. |
| Dunbar, Oscar Hall, | Jonesport, | 67 Summer St. |
| Foster, Walter Herbert, | Bangor, | 38 Mount Hope Ave. |
| Gould, Arthur Garfield, | Presque Isle, | 50 Charles St. |
| Hall, Joseph Edward, Jr., | Bangor, | 48 Elm St. |
| Head, Frank Samuel, | Jackman, | 102 State St., Brewer. |
| Keyes, Orman Leroy, | Stetson, | 5 Dole's Court. |
| Lancaster, Arthur Blaine, | Gardiner, | 105 Third St. |
| Linehan, Daniel Joseph, | Bradford, Mass., | 100 Ohio St. |
| Littlefield, Eben Frank, | Brooks, | 81 Holyoke St., Brewer. |
| Moody, William Harold, | Malden, Mass., | 50 Charles St. |
| Peabody, Leon Irving, | Rockland, | 91 Fifth St. |
| Putnam, Edgar Burnham, B. A., | Danforth, | The Lowder. |
| Record, Lewis Stillman, Ph. B., | Worcester, Mass., | 17 Prentiss St. |
| Robinson, Curville Charles, | East Machias, | 123 Essex St. |
| Robbins, Charles Alphonso, Ph. B., | Patten, | 154 Essex St. |
| Smalley, Charles Tobias, | Rockland, | 91 Fifth St. |
| Wall, Erastus Lewis, B. A., | Castine, | 90 Pine St. |
| White, Harvey Aaron, | Brewer, | 4 Holyoke St. |
| Winslow, Joseph Towne, | New Bedford, Mass., | 250 Hammond St. |

SPECIAL STUDENTS.

| | | |
|--------------------------|--------------|---------------|
| Ball, William Franklin, | South Sebec, | 4 Centre Ave. |
| Hadlock, George Russell, | Islesford, | 154 Essex St. |
| Morang, Charles Lebbeus, | Ellsworth, | |

LOCATION.

The School of Law of the University of Maine is located in Bangor, a bright, progressive New England city, containing a population of over 20,000, and the business centre of a large territory and a numerous population. Perhaps no city in the country does a larger business in proportion to its size. The city is easily accessible by rail from all parts of New England, and has steamboat connection with Boston. The climate is healthful, while its proximity to the coast renders the winters less rigorous than is the case in the interior. The churches of the city, and the Young Men's Christian Association, whose building is large and commodious, receive students with the greatest hospitality, and young men coming as strangers to the city speedily find themselves contented and at home. Two Greek letter fraternities and an excellent debating society add to the pleasure and profit of student life at the Law School.

Bangor is the county seat of Penobscot county, and numerous terms of Court both State and Federal are held here during the year. The local bar is one of distinguished ability, and students are thus enabled to observe how important cases are conducted by skillful practitioners.

Orono, where the other departments of the University are located, is a pleasant town some eight miles from Bangor, with which it is connected by both steam and electric railways. The department of law is an integral part of the University, it being distinguished in this regard from other departments solely by its location. Students in the Law School are permitted to take such general work in the University, along general lines, as time will allow without extra charge. They are eligible for membership in the various athletic teams.

ADMISSION.

The school is open to both men and women. All students who enter the school as candidates for a degree must have a good high school or academic education, or its equivalent. Graduates of colleges, high schools, and academies, in good standing, are admitted without examination, upon presentation of a diploma or other satisfactory evidence of their graduation. Others are required to pass satisfactory examinations in the following subjects: English and American History, English Composition,

French or German (an ability to read and write ordinary French or German prose is required); Latin or Greek (including four books of Caesar's Gallic War or an equivalent amount of some other Latin prose writer, seven of Cicero's orations, four books of Xenophon's *Anabasis*, and three books of Homer's *Iliad*; the candidate should also be able to write easy Greek or Latin prose); algebra to quadratic equations; plane geometry.

Students who are without the necessary preliminary education, but who wish to take the course in law as special students and not as candidates for a degree, and who can satisfy the faculty of their persistence and capacity for toil are admitted to the school, and, if they prove able to do the work, are permitted to take the full course and are given a certificate to that effect on its completion. While the value of a broad preliminary training as a preparation for the study of law is recognized as fully here as elsewhere, and while students are urged to obtain all the general education possible, yet it is recognized, and demonstrated by experience, that occasionally a man with limited opportunities and education has yet the making of a good, and, it may be, a great lawyer. To such a man this school cordially and freely offers all its advantages, save its degrees.

Students who wish to acquire a knowledge of the law as a part of their general culture and not necessarily with a view to its practice are recommended to supplement their studies with courses in the University. Political Economy, Civics, Logic, and especially courses in History and English are specifically recommended. To do so is wise on the part of any student, whether special or regular, that can afford to do so. There is no extra charge for studies so taken at the University.

Students that intend to engage in business and desire a knowledge along commercial lines, are recommended to take up the subjects of Admiralty, Agency, Bankruptcy, Carriers, Constitutional Law, Contracts, Corporations, Equity, Insurance, Partnership, Real Property, Sales, and Torts.

ADVANCED STANDING.

This college is a member of the Association of American Law Schools. Any student entering this school from any school which is a member

of that Association is admitted to advanced standing and given full credit for work done in the school from which he comes, upon presenting certificates of proficiency from the executive head of the latter school. All other persons seeking advanced standing must pass examinations in the subjects covered in the earlier part of the course of this school.

Members of the Bar of any state may be admitted to the Senior class as candidates for the degree of Bachelor of Laws, while graduate students, as well as members of the Bar having this degree, may take one of the two graduate courses leading to the degree of Master of Laws. Further information on both points will be given on inquiry.

NECESSITY OF A LAW SCHOOL TRAINING.

The day of study in a law office is rapidly passing, and it is only a question of a comparatively short time when substantially all the work of preparing for the Bar will be done by the school. "The time has gone by," said the late Chief Justice Waite, "when an eminent lawyer in full practice can take a class of students into his office and become their teacher. Once that was practicable, but now it is not. The consequence is that law schools are now a necessity."

This view has been expressed, as early as 1879, by the unanimous report of the Committee on Legal Education and Admissions to the Bar as given in the Reports of the American Bar Association, vol. 2, p. 216. "There is little, if any, dispute now," say the members of this committee consisting of the leading men in the profession and representing every section of the country, "as to the relative merits of education by means of law schools, and that got by mere practical training or apprenticeship as an attorney's clerk. Without disparagement of mere practical advantages, the verdict of the best informed is in favor of the schools."

ADVANTAGES OF SUCH A TRAINING.

The advantages possessed by the law schools are pointed out in the same report:—Attainment of general principles, removal of difficulties inherent in scientific and technical phraseology, the acquisition of clear conceptions and precise expression, familiarity with leading cases and with their application to discussion, the forming of habits of attention

and acquaintance with the leading maxims of the law, together with the priceless opportunities resulting from contact with other minds in generous emulation, not to mention the incidental survey of the law as a science and the inevitable recognition of ethics as its true foundation, while the reading, reasoning and discoursing incidental thereto, and constantly accompanying the work—all these secure a progress otherwise altogether beyond the reach of the student.

These advantages are being recognized both in the United States and abroad. Sir Frederick Pollock claims that the law schools of this country have made the American student not only a better instructed lawyer but a more practical lawyer as well. Hon. William P. Goodelle, President of the New York State Board of Bar Examiners, said at the conference of State Boards of Bar Examiners in 1898, among other things: "The growing appreciation of a law school course will, in my judgment, result before many years in the Court of Appeals requiring by its rules that some portion, at least, of a legal course of study (in New York) shall be had in a law school." Reports of American Bar Association, vol. 21, p. 534. The immediate, as well as the more remote, value of such training is also illustrated by the fact that in New York, where authentic statistics are available, the percentage of office men failing in the bar examination is nearly twice as large as that of the law school men, while the probabilities of future professional success are, according to Franklin M. Danaher, Esq., of the same State Board of Bar Examiners, about in the same proportion.

METHODS OF STUDY.

While a few courses in the school are by lectures, yet the greater part of the instruction is obtained from the study and discussion of series of selected cases. The school is frankly committed to the "case" system of study, that is, the inductive study of carefully arranged and selected cases, without the use of text books or commentaries by the student in his individual work, except, later on, for purposes of collateral reading and for the review of some branches of the law by means of classic and really authoritative text books. Its superior advantages are regarded as no longer open to dispute. It is believed to be the best

possible system for all students, regardless of their preliminary education and acquirements. By it a comprehension of legal principles and facility in their application are acquired as in no other way, while it is apparently the only method by which any genuine power of legal discrimination and analysis can be developed.

The spirit and aim of this school are distinctly practical. Its purpose is to thoroughly equip men for the practice of law. The fullest discussion is permitted and encouraged in all the work; but, whatever else the student may get out of it, one result should certainly be a knowledge of the law as it is. To bring this home to the mind of the student and to fix it there by the discovery of the reason upon which the principle rests is regarded as the chief function of the school. The uniform success which the graduates have met in passing the severe examinations given for admission to the Bar, in Maine, Massachusetts, and other jurisdictions, is some evidence of their efficient preparation for practice.

The Practice Court is an important feature of the work of the school. It is held weekly, and consists of three divisions, a moot court, a trial court, and an appellate division. The work in the Court is principally done by the members of the Senior and Junior classes, appeal lies from the first two courts to the appellate division, known as the University Law Court, composed of two Seniors and a member of the Faculty. The training thus obtained proves of considerable value.

COURSE OF STUDY.

The course of study covers a period of three full years. College graduates, whose health and ability warrant, are permitted, by doing extra work, to finish the course in two years. All students, however, are urged to take three years for the completion of the work.

The Faculty will not hesitate to drop a student from the list of candidates for the degree after it considers a student disqualified either through wilful neglect or from manifest incapacity to grasp the subject.

FIRST YEAR COURSES.

CONTRACTS. Fall, winter and spring terms, four, three, and two hours a week respectively. Text book: Keener's Cases on Contracts. MR. DONWORTH.

TORTS. Fall, winter, and spring terms, four, three, and two hours a week respectively. Text book: Ames and Smith's Cases on Torts. PROF. WALZ.

REAL PROPERTY. Fall and winter terms, four and three hours a week respectively. Text book: Tiedeman on Real Property. MR. SIMPSON.

CRIMINAL LAW. Winter and spring terms, two hours a week. Text book: Beale's Cases on Criminal Law. MR. SIMPSON.

COMMON LAW PLEADING. Winter and spring terms, two hours and one hour a week respectively. Lectures and Problems. MR. MARTIN.

AGENCY.* Spring term, three hours a week. Text book: Huffcut's Cases on Agency. MR. FLETCHER.

HISTORY OF LAW. Fall term, one hour a week. Lectures. PROF. ROGERS.

FEDERAL COURTS. Spring term, one hour a week. MR. SIMPSON.

JUNIOR COURSES.

EVIDENCE.* Fall and winter terms, four and three hours a week respectively. Text book: Thayer's Cases on Evidence. PROF. WALZ.

SALES.* Fall and winter terms, two hours a week. Text book: Burdick's Cases on Sales. PROF. WALZ.

NEGOTIABLE PAPER. Winter and spring terms, two and three hours a week respectively. Text book: Huffcut's Negotiable Instruments. PROF. WALZ.

DOMESTIC RELATIONS. Fall term, three hours a week. Text book: Smith's Cases on Persons. MR. SIMPSON.

CARRIERS. Fall and winter terms, one and three hours a week respectively. Text book: McClain's Cases on Carriers. MR. SIMPSON.

DAMAGES.* Winter term, three hours a week. Text book: Beale's Cases on Damages. MR. WORSTER.

REAL PROPERTY.* Spring term, four hours a week. Text book: Finch's Cases on the Law of Property in Land. MR. ———.

INSURANCE.* Spring term, three hours a week. Text book: Woodruff's Cases on Insurance. MR. ———.

SENIOR COURSES.

EQUITY JURISPRUDENCE.* Fall and winter term, four and three hours a week respectively. Text book: Bispham on Equity and Shepard's Cases in Equity. PROF. WALZ.

PRIVATE CORPORATIONS.* Fall and winter terms, four and three hours a week respectively. Text book: Smith's Cases on Corporations. MR. SIMPSON.

SURETYSHIP.* Fall and winter terms, two hours a week. Text book: Ames's Cases on Suretyship. PROF. WALZ.

CONSTITUTIONAL LAW. Fall term, three hours a week. Text books: Boyd's Cases on Constitutional Law; Rogers's Our System of Government. MR. ROGERS.

EQUITY PLEADING AND PRACTICE. Winter term, two hours a week. Lectures. MR. CLARK.

BANKRUPTCY. Winter term, two hours a week. Lectures. GEN. HAMLIN.

MUNICIPAL CORPORATIONS.* Winter term, three hours a week. Text book: Smith's Cases on Municipal Corporations. MR. ———.

CONFLICT OF LAWS. Spring term, three hours a week. Text book: Dwyer's Cases on Private International Law. MR. SIMPSON.

PARTNERSHIP. Spring term, four hours a week. Text book: Ames's Cases on Partnership. PROF. WALZ.

WILLS.* Spring term, three hours a week. Text book: Chaplin's Cases on Wills. MR. HOLMAN.

ADMIRALTY.* Spring term, two hours a week. Text book as yet undetermined. PROF. ROGERS.

MAINE PRACTICE. Spring term, one hour a week. Lectures and Problems. MR. MARTIN.

EXECUTORS AND ADMINISTRATORS. Spring term, one hour a week. Lectures. MR. SIMPSON.

GENERAL REVIEW. Spring term, two hours a week. Text book: Gardner's Review in Law and Equity. PROF. WALZ.

EVIDENCE. Winter term, Lectures. MR. CHIEF JUSTICE WISWELL.

ROMAN LAW.* Spring term, about one hour a week. Lectures. MR. JUSTICE EMERY.

PROBATE LAW.* Spring term, about one hour a week. Lectures. MR. JUSTICE EMERY.

MEDICO-LEGAL RELATIONS. Spring term, about six lectures. MR. SOUTHARD.

MINING LAW. Winter term, about one hour a fortnight. MR. HOLMAN.

The subjects starred are given in alternate years, Agency alternating with Insurance, Evidence with Equity Jurisprudence, Sales with Suretyship, Damages with Municipal Corporations, Real Property (cases) with Wills, and Roman Law with Probate Law.

LIBRARY.

The law library contains about three thousand volumes, including the reports of the Supreme Courts of the United States, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Ohio, and of the Court of Appeals of New York, the New York Common Law and Chancery Reports, the American Decisions, American Reports, American State Reports, the complete Reporter System, the Lawyers' Reports Annotated, all the law encyclopedias, a considerable number of text books, and the leading law periodicals.

DEGREES.

The University confers the degree of Bachelor of Laws upon students who complete the courses outlined above, and who present a thesis of not less than five thousand words, which shall be approved by the faculty.

The degree of Master of Laws is conferred after the completion of one year of resident graduate work or two years of such work in absence, and approval by the faculty of two theses of not less than five thousand words each. Details as to this course may be had upon application to the Dean of the school.

EXPENSES.

The expense incident to a course in this school is very moderate, and deserves the careful attention of students to whom this is a serious question. It is believed that in no school in the east can so thorough a legal training be obtained at so small an outlay. The tuition is sixty dollars a year, payable twenty dollars at the beginning of each term.

This, together with a fee of ten dollars for graduation, is the only charge. Books cost about thirty dollars a year. Good board and rooms can be had for from \$3.50 to \$4.00 a week. The school year covers a period of thirty-two weeks. Aside from expenditures for travel, clothing, and social demands, the average annual outlay will not exceed \$210, and this may be somewhat reduced by close economy. It is believed that expenses in this, as well as in the other departments of the University, are lower than in any other college of New England.

For further information, address,

DEAN W. E. WALZ,

University of Maine School of Law,

Bangor, Maine.

CALENDAR.

1902.

October 1, Wednesday, Fall term begins.

December 17, Wednesday, Fall term ends.

1903.

January 7, Wednesday, Winter term begins.

March 18, Wednesday, Winter term ends.

March 25, Wednesday, Spring term begins.

June 10, Wednesday, COMMENCEMENT.

October 7, Wednesday, Fall term begins.

December 23, Wednesday, Fall term ends.

1904.

January 6, Wednesday, Winter term begins.

June 8, Wednesday, COMMENCEMENT.

March 23, Wednesday, Spring term begins.

March 16, Wednesday, Winter term ends.